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PATENT/Docket No. PC9325C

Serial No. 10/773937

Page 1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit : 1625
Examiner : Zinna Northington Davis
Applicant(s) : Y Okumura et al
Serial Number : 10/773937
Filed : February 5, 2004
For : Benzimidazole Cyclooxygenase-2 Inhibitors

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COMMUNICATION

Sir:

This communication is in response to the Office Action Mailed May 11, 2005. To overcome a double patenting rejection, application provide terminal disclaimers to US Patent Nos. 6,310,079 and 6,713,482 in compliance with 37 CFR 1.321(c)

Applicants have taken the Examiner's suggestion and provide an IDS for the instant application.

The Commissioner is authorized to charge any fee or credit any overpayment for this communication to Deposit Account. 21-0718.

Respectfully submitted,



Thomas A. Wootton, Attorney
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Date: 29 July 2005

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| | | | |
|--|--|------------------------|-------------------------|
| TRANSMITTAL FORM <small>(to be used for all correspondence after initial filing)</small> | | Application Number | 10/773,937 |
| | | Filing Date | February 5, 2004 |
| | | First Named Inventor | Yoshiyuki Okumura |
| | | Art Unit | 1625 |
| | | Examiner Name | Zinna Northington Davis |
| Total Number of Pages in This Submission | | Attorney Docket Number | PC9325C |
| 8 | | | |

| ENCLOSURES (Check all that apply) | | |
|---|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input checked="" type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Communication |
| Remarks | | |
| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | | |
| Firm or Individual name | Thomas A. Wootton, Registration No. 35,004 | |
| Signature | <i>Thomas A. Wootton</i> | |
| Date | 29 Jul 2005 | |

| CERTIFICATE OF TRANSMISSION/MAILING | | |
|---|----------------------------|-------------------|
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. | | |
| Typed or printed name | Valerie L. Schipper | |
| Signature | <i>Valerie L. Schipper</i> | Date 29 July 2005 |

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